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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 JAY YANG,
15 Defendant.

Case No. 2:16-mj-315-CWH

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
17 United States Attorney, and Alexandra M. Michael, Assistant United States Attorney, counsel
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
19 Rebecca A. Levy, Assistant Federal Public Defender, counsel for Jay Yang, that the Preliminary
20 Hearing currently scheduled on Monday, May 23, 2016 at 4:00 p.m., be vacated and continued
21 to a date and time convenient to the Court, however no sooner than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. The defendant is detained but agrees with the continuance.
24 2. Counsel for the defendant will require additional time to review and investigate
25 discovery, and meet with the client to discuss the details prior to proceeding.
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3. Both parties agree to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation is excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

This is the first request for continuance filed herein.

DATED this 16th day of May, 2016.

RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

/s/ Rebecca A. Levy
By _____

REBECCA A. LEVY
Assistant Federal Public Defender

/s/ Alexandra M. Michael
By _____

ALEXANDRA M. MICHAEL
Assistant United States Attorney

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3 **UNITED STATES DISTRICT COURT**
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ORDER

12 Based on the Stipulation of counsel, good cause appearing, and the best interest of
13 justice being served; the time requested by this stipulation being excludable in computing the
14 time within which the defendant must be indicted and the trial herein must commence pursuant
15 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under
16 18 U.S.C. § 3161(h)(8)(B)(i) and (iv):

17 IT IS THEREFORE ORDERED that the Preliminary Hearing currently scheduled on
18 Monday, May 23, 2016 at the hour of 4:00 p.m., be vacated and continued to June 24, 2016
19 at 4:00 p.m.

20 DATED: May 18, 2016

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23 _____
24 UNITED STATES MAGISTRATE JUDGE
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